CLERKS OFFICE U.S. DIST. COURT

IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF VIRGINIA ROANOKE DIVISION

MAY - 7 2012

JULIA C DUDLE CLERK

BY: DEPUTY CLERK

ANDREW WOLTERS, Plaintiff.

Civil Action No. 7:12-cv-00006

v.

ORDER

COMMONWEALTH OF VIRGINIA, et al., Defendants.

By: Hon. Jackson L. Kiser

Senior United States District Judge

In accordance with the Memorandum Opinion entered this day, it is hereby

ORDERED

that this action is **DISMISSED** without prejudice and is **STRICKEN** from the active docket of the court. Plaintiff may refile his claims in a new and separate action at the time he can pay the \$350 filing fee or file the necessary documents to proceed <u>in forma pauperis</u>.

The Clerk is directed to send a copy of this Order and the accompanying Memorandum.

Opinion to plaintiff.

ENTER: This day of May, 2012.

Senior United States District Judge